

PUBLIC REVIEW DRAFT

CHAPTER 11. PUBLIC PARTICIPATION

This chapter describes some of the opportunities that have been made available to the public for comment on and participation in the development of the Klamath River TMDL Staff Report and Action Plan as well as the recalculated Site Specific Objective (SSO) for dissolved oxygen (DO). (See Appendix 1)

11.1 Public Outreach

Regional Water Board staff have held numerous meetings to update and inform the public throughout the Klamath River TMDL development process and recalculated SSO for DO in the mainstem Klamath. Opportunities for public participation in the recalculation of the SSOs for DO in the mainstem Klamath began in 2009 when staff efforts first began on this separate project. The first public outreach meeting related to the Klamath River TMDLs was held on February 25, 2004 in Yreka, California. Since that time there have been ~~13~~¹⁷ additional outreach meetings held in various locations throughout the Klamath River basin and the North Coast Region, the most recent meeting occurring on ~~March 12~~^{July 9}, 2009. A complete list of the public meetings that have been held about the Klamath River TMDL is presented in Table 11.1.

Table 11.1: Public Meetings for the Klamath River TMDL

Subject	Date	Location
Klamath and Lost River TMDL Development Kick-off	February 25, 2004	Yreka, CA
	February 26, 2004	Klamath Falls, OR
	March 2, 2004	Fortuna, CA
Klamath River TMDL Water Quality Models Scoping Meeting	August 4, 2005	Yreka, CA
CEQA Scoping Meetings for the Klamath River TMDL	February 16, 2006	Yreka, CA
	March 1, 2006	Eureka, CA
	July 18, 2006	Orleans, CA
	January 11, 2007	Santa Rosa, CA
	January 12, 2007	San Francisco, CA
Scoping for Klamath River TMDL Implementation	March 3, 2009	Klamath, CA
	March 3, 2009	Arcata, CA
	March 4, 2009	Tulelake, CA
	March 5, 2009	Montague, CA
	March 12, 2009	Santa Rosa, CA
<u>June 2009 Public Review Draft of the Klamath River TMDL and SSO for DO</u>	<u>July 6, 2009</u>	<u>Klamath Falls, CA</u>
	<u>July 7, 2009</u>	<u>Yreka, CA</u>
	<u>July 8, 2009</u>	<u>Orleans, CA</u>
	<u>July 9, 2009</u>	<u>Klamath, CA</u>

11.1.1 CEQA Scoping Meetings

The purpose of the California Environmental Quality Act (CEQA) Scoping Meetings was to solicit public comments to help staff assess the potential environmental scope of the environmental analysis. Holding a scoping meeting is a requirement of the CEQA. Given the vast expanse of the Klamath River basin and the statewide and national interest

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in Klamath River issues, Regional Water Board held several Scoping Meetings throughout the basin, as well as meetings outside the basin, to ensure that all parties who wished to give input would have an opportunity to do so. Table 11.1 summarizes the scoping meetings for the Klamath River TMDL. The comments received at the CEQA Scoping Meetings that concerned the scope of the environmental review are summarized in Chapter 9. These comments, and others, helped to shape the scope of the environmental review and specific aspects of the analysis.

11.1.2 Klamath River TMDL Webpage

In addition to holding public meetings, Regional Water Board staff have maintained a webpage on the North Coast Regional Water Quality Control Board's website where the latest, up-to-date information on the Klamath River TMDL development process can be found. Fact Sheets, which contain summary information on the TMDL development process in the Klamath River basin, are also located on the website. The first Fact Sheet was posted in November 2004. There have been six updates to the fact sheets since that time, the latest on ~~February 10~~ January 27, 2006. The website can be accessed at: [<http://www.waterboards.ca.gov/northcoast/water_issues/programs/TMDL/klamath_river/>](http://www.waterboards.ca.gov/northcoast/water_issues/programs/TMDL/klamath_river/).

11.2 Presentations to the Regional Water Board

Periodically, Regional Water Board staff have presented updates and status reports to the Regional Water Board and interested members of the public on the Klamath River TMDL. The presentations were opportunities for the public and Board members to hear status updates and background information regarding progress and emerging issues related to the TMDL development process. At each of these meetings, the public also had the opportunity to give comment before the Board. All such comments are part of the public record. Table 11.2 presents a complete list of the presentations given to the Regional Water Board about various aspects of Klamath River TMDL development.

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Table 11.2: Presentations Given at Regional Water Board Meetings

Subject	Date	Location
Status Report on TMDL Development	February 10, 2004	Santa Rosa, CA
Update on Issues and Activities in the Klamath River Basin	August, 25, 2004	Crescent City, CA
Update on Klamath Basin TMDL	May 4, 2005	Weaverville, CA
Klamath River TMDL, Klamath River Fish Kill and Fish Disease Overview, & Update on Klamath River Blue Green Algae	November 29, 2006	Santa Rosa, CA
Update on Development of Klamath River TMDL	July 24, 2008	Santa Rosa, CA
Update on Administrative Draft Klamath River Temperature TMDL	September 11, 2008	Santa Rosa, CA
Update on Administrative Draft Klamath River DO, Organic Matter, Nutrients, and Chlorophyll-a TMDL	December 11, 2008	Santa Rosa, CA
Klamath River TMDL Implementation Plan Summary/Scoping	January 29, 2009	Santa Rosa, CA
<u>Workshop on the Klamath River TMDLs and SSO for DO</u>	<u>July 23, 22009</u>	<u>Santa Rosa, CA</u>
<u>Workshop on the Klamath River TMDLs and SSO for DO</u>	<u>September 10, 2009</u>	<u>Grenada, CA</u>
Update on Klamath River TMDLs and Site Specific Dissolved Oxygen Objective Schedule	October 1, 2009	Santa Rosa, CA
Update on Klamath River TMDLs Water Quality Modeling Technical Analysis	December 10, 2009	Santa Rosa, CA

11.3 Presentations to Various Organizations and Conferences

In order to reach a broad audience regarding the details of the Klamath River TMDL, Regional Water Board staff have presented updates on the TMDL at public meetings held by other organizations and agencies. Additionally, staff have given presentations at conferences specifically focused on the Klamath River basin, as well as science conferences pertaining to water quality protection. A complete list of these presentations is available in Table 11.3.

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Table 11.3: Presentations Given at Other Organization's Public Meetings and Conferences

Subject	Date	Venue
Klamath Basin TMDL	October 1, 2002	Siskiyou County Board of Supervisors, Yreka, CA
Klamath and Lost River TMDLs	January 22, 2004	Klamath Environmental Coalition, Yreka, CA
Klamath, Shasta, Scott, and Salmon River TMDLs	June 9, 2004	Lower Klamath Basin Science Conference, Arcata, CA
Klamath River TMDL	June 24, 2004	Klamath River Basin Fisheries Task Force Meeting, Klamath Falls, OR
Klamath River TMDL	December 7, 2004	Klamath River Technical Work Group, Yreka, CA
Klamath River TMDL	June 15, 2005	Klamath River Basin Fisheries Task Force Meeting, Yreka, CA
Klamath River TMDL	October 19, 2005	Klamath River Basin Fisheries Task Force Meeting, Klamath Falls, OR
Klamath River TMDL	February 9, 2006	Klamath River Basin Fisheries Task Force Meeting, Brookings, OR
Klamath River TMDL	September 13, 2006	Protecting California's Waters, University of California Davis
Klamath River TMDL and 401 Certification	October 12, 2006	Klamath Basin Informational Policy Tour, Klamath, CA
Klamath River TMDL	November 7, 2006	Klamath Watershed Conference, Redding, CA
Klamath River TMDL	January 29, 2007	National Research Council, Committee on Hydrology, Ecology, and Fishes of the Klamath River Basin, Klamath Falls, OR
Characterizing Natural Conditions of Klamath River for TMDL Development	June 25, 2007	Water Environment Federation, TMDL 2007 Conference, Seattle, WA
Klamath River TMDL	December 2007	Presentation by ODEQ at Upper Klamath Basin Annual Science Review, Klamath Falls, OR
Klamath River TMDL Draft Monitoring Framework	December 4, 2008	Klamath Basin Water Quality Monitoring Coordination Group, Ashland, OR
Klamath River TMDL	April 6, 2009	Upper Mid Klamath Watershed Council, Montague, CA
Klamath River TMDL	April 7, 2009	Siskiyou County Board of Supervisors, Yreka, CA

11.4 Other Meetings about the Klamath River TMDL

There have been numerous targeted stakeholder meetings to discuss the progress of the Klamath River TMDL and SSOs for DO with individual agencies and organizations including, but not limited to, PacifiCorp, California Department of Fish and Game, U.S. Forest Service, U.S. Bureau of Reclamation, the North Coast California Consent Decree Plaintiffs, and watershed groups such as the Upper Mid Klamath Watershed Council.

The USEPA and the Regional Water Board have initiated an informal consultation process with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration, Fisheries (NOAA Fisheries) on Klamath River TMDL and

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SSOs for DO. Regional Water Board and USEPA staff have used this process to provide information and updates on the TMDL and SSOs for DO.

The USEPA and Regional Water Board have also held regular meetings with representatives of the Klamath River basin tribes in California to provide updates on the TMDL process, as part of USEPA's tribal trust responsibilities. These meetings have been held approximately quarterly since 2004.

Finally, there has been and continues to be informal contact with many individuals and organizations active in the Klamath River basin.

11.5 Peer Review

Prior to development of the Public Review Draft of the Klamath River TMDL Staff Report, a peer- review draft report was reviewed by the following four PhDs as part of a formal state-mandated peer-review process:

- Dr. Gregory Characklis, Professor of Environmental Sciences and Engineering at the University of North Carolina;
- Dr. G. Mathias Kondolf, Professor of Environmental Planning and Geography at the University of California, Berkeley;
- Dr. Christopher A. Myrick, Associate Professor of Fishery Biology at Colorado State University; and
- Dr. Desiree Tullos, Assistant Professor of Biological and Ecological Engineering at Oregon State University.

Responses to the peer-review comments from these reviewers are presented in Appendix 78.

For a discussion of peer review of the revised DO objective, please see Appendix 1.

11.6 June 2009 Public Review Draft and Opportunities for Public Input

Chapters 1-3 and five appendices of the June 2009 Public Review Draft of the Staff Report were posted on the Regional Water Board website on June 15, 2009. Additional Chapters and Appendices were posted as they were completed, with the final Chapters of the Staff Report and the Action Plan available for public review and comment on July 9, 2009.

The public review period for the Staff Report and Action Plan was initially set to close on August 17, 2009. However, the review period was extended twice to allow for the full legally required review period. The first extension was to August 23, 2009, and finally the public review and comment period was extended to August 27, 2009. This final extension allowed for a 74 day review period from the time the first Chapters and appendices were posted (June 15, 2009), and a 50 day review period once the complete Staff Report and Action Plan were available on the Regional Water Board website (July 9, 2009).

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The June 2009 Public Review Draft release and public comment period dates are summarized below.

June 2009 Public Review Draft Release: First Postings:..... June 15, 2009
Final Chapters Posted: July 9, 2009

End of June 2009 Public Review Draft Comment Period August 27, 2009
Total Comment Period: 50 days

Chapters 1 and 2 of the Klamath River TMDL, and two of the appendices, were released for a five month public review period on July 11, 2008. The full Public Review Draft of the *Staff Report for the Klamath River Total Maximum Daily Loads (TMDLs) and Action Plan Addressing Temperature, Dissolved Oxygen, Nutrient, and Microcystin Impairments in California* were available for public review and comment on, or before, June 29, 2009.

Throughout the Basin Plan amendment process, there are opportunities for public participation and comment, including at the CEQA scoping meetings, at the Regional Water Board and associated workshops prior to the Regional Water Board hearing for the proposed TMDL Basin Plan amendment, at the Regional Water Board hearing to consider adoption of the TMDL Basin Plan amendment, before the State Water Board, and during public forum at any Regional Water Board meeting. The following opportunities and their estimated dates remain for public comment on the proposed Klamath River TMDL Basin Plan amendment. Please note that the following dates and meeting locations may change and additional meetings may be scheduled. Interested parties should check the Regional Water Board website for announcements regarding Regional Water Board meetings and the Klamath River TMDL at: <http://www.waterboards.ca.gov/northcoast/>.

End of Public Review Draft Comment Period..... August 17, 2009
Public Review Draft TMDL Public Meetings July 6, 2009, Klamath Falls, CA
..... July 7, 2009, Yreka, CA
..... July 8, 2009, Orleans, CA
..... July 9, 2009, Klamath, CA

Public Review Draft TMDL Regional Water Board Workshops..... July 23, 2009, Santa Rosa, CA
..... September, 10, 2009, Yreka, CA

Public Hearing October 29, 2009
before the Regional Water Board in Klamath, CA

Public Hearing and Workshop..... To Be Determined
before the State Water Resources Control Board in Sacramento, CA

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11.7 December 2009 Public Review Draft and Opportunities for Input

The December 2009 Public Review Drafts, including Appendix 1 (recalculated SSO for DO in the mainstem Klamath) was released on December 23, 2009 for public review and comment. Throughout the Basin Plan amendment process, there are opportunities for public participation and comment, including at the CEQA scoping meetings, at the Regional Water Board and associated workshops prior to the Regional Water Board hearing for the proposed TMDL Basin Plan amendment, at the Regional Water Board hearing to consider adoption of the TMDL Basin Plan amendment, before the State Water Board, and during public forum at any Regional Water Board meeting. The following opportunities and their estimated dates remain for public comment on the proposed Klamath River TMDL Basin Plan amendment. Please note that the following dates and meeting locations may change and additional meetings may be scheduled. Interested parties should check the Regional Water Board website for announcements regarding Regional Water Board meetings, revisions to the DO objectives, and the Klamath River TMDL at: <http://www.waterboards.ca.gov/northcoast/>.

End of December 2009 Public Review Draft Comment Period February 9, 2010

December 2009 Public Review Draft

Regional Water Board Workshop in Yreka, CA January 27, 2010

Public Adoption Hearing March 24-25, 2010
before the Regional Water Board in Klamath, CA

Public Adoption Hearing and Workshop To Be Determined
before the State Water Resources Control Board in Sacramento, CA

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